PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of Chernomorsky et al. For: **POST-BIOPSY CAVITY TREATMENT IMPLANTS AND METHODS** Serial No.: 10/688,289 Filed: October 16, 2003 Atty. Docket No.: RUBI5873CIP	Examiner: Raymond J. HENLEY III Group Art Unit: 16146 Confirmation No.: 9198 Customer No.: 22430 **RESPONSE TO REQUIREMENT FOR RESTRICTION**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

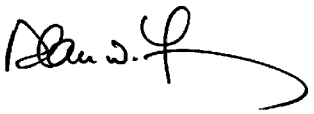
Dear Sir:

The following paper is responsive to the Restriction Requirement mailed October 3, 2007. Applicant elects Group I, claims 1-60, without traverse. Applicant elects Species V; namely, an implant comprising a dye, a therapeutic agent and a radioactive compound, and generic claims 1, 33 and claims dependent thereon, without traverse.

The undersigned thanks Exr. Henley for his detailed restriction requirement. Responsive thereto, Applicant elects group 1, claims 1-60 and species V, wherein the implant includes a dye, a therapeutic agent and a radioactive compound. Of course, there is no real semantic difference between a dye and a pigment. For example, chlorophyll could be considered to be either a dye or a pigment. "Pigment" can be another name for "dye" and vice versa. Dyes can be either synthetic or be derived from natural sources (e.g., chlorophyll, carotene, etc.), as may pigments.

Applicants believe that this application is now in condition for examination. If any unresolved issues remain, please contact the undersigned attorney of record at the telephone number indicated below and whatever is necessary to resolve such issues will be done at once.

Respectfully submitted,



Date: October 22, 2007

By: _____
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